

38550

Customer Number

Patent
Case No.: CGL03/0204US01

RECEIVED

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE ² MAY 2006

First Named Inventor: Zoerb, Hans F

Application No.: 10/559504

Group Art Unit:

Int'l Appl'n No.: PCT/US04/17814

Int'l Filing Date: June 4, 2004

Title: BEVERAGE ADDITIVE COMPRISING DEHYDRATED MIXTURE OF
TREHALOSE AND PROTEINLegal Staff
International Division**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 USC § 371 IN THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)**Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF TRANSMISSION	
To Fax No.: 703-740-4060	57-273-0459
I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office on:	
Date: 5/22/06	Signed by: Renee Neuman

Dear Sir:

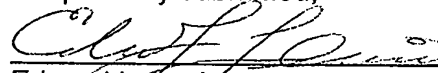
This is in response to the Notification of Missing Requirements Under 35 USC § 371 in the United States Designated/Elected Office (DO/EO/US). A copy of this Notification is enclosed.

The Notification indicates that the oath or declaration is missing. Therefore, enclosed is an executed Declaration and Power of Attorney for the above-identified application.

Please charge the surcharge provided in 37 CFR § 1.492(e), and if necessary, charge any additional fees, or credit any overpayment to Deposit Account No. 50-2342.

Date: May 22, 2006

Respectfully submitted,


Edward L. Levine
Reg. No. 28,097CARGILL, INCORPORATED
Law Department
P.O. Box 5624
Minneapolis, MN 55440-5624
Telephone No.: (952) 742-0144
Facsimile No.: (952) 742-6349

PTO/SB/17 (12-04v2)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818). FEE TRANSMITTAL For FY 2005		Complete if Known	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number	10/559504
TOTAL AMOUNT OF PAYMENT \$		Filing Date	June 4, 2004
		First Named Inventor	Zoerb, Hans F
		Examiner Name	
		Art Unit	
		Attorney Docket No.	CGL03/0204US01

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____
☒ Deposit Account Deposit Account Number: 50-2342 Deposit Account Name: Cargill, Incorporated
 For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)
☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee(s)	Fee(\$)	Small Entity Fee(s)	Fee(s)	Small Entity Fee(s)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee(\$)	Small Entity Fee(s)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims **Extra Claims** **Fee(\$)** **Fee Paid (\$)** **Multiple Dependent Claims**
 -20 or HP = _____ X 50 = _____ **Fee (\$)** **Fee Paid (\$)**
 HP = highest number of total claims paid for, if greater than 20.

Indep. Claims **Extra Claims** **Fee(\$)** **Fee Paid (\$)**
 -3 or HP = _____ X 200 = _____
 HP = highest number of independent claims paid for, if greater than 3.


3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 Sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Claims	Extra Claims	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
-100=	/50 =	(round up to a whole number) x		

4. OTHER FEE(S)

	Fee Paid (\$)
Non-English Specification, \$130 fee (no small entity discount)	\$130.00
Other (e.g., late filing surcharge): Surcharge for Missing Declaration	

SUBMITTED BY			
Signature		Registration No. 28,097 (Attorney/Agent)	Telephone (952) 742-0144
Name (Print/Type)	Edward L. Levine	Date	5/22/2006

PTO/SB/17 (12-04v2)
 Approved for use through 07/31/2006. OMB 0651-0032
 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Complete if Known

Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act. 2005 (H.R. 4818). FEE TRANSMITTAL For FY 2005		Application Number	10/559504
		Filing Date	June 4, 2004
		First Named Inventor	Zoerb, Hans F
		Examiner Name	
		Art Unit	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Attorney Docket No.	CGL03/0204US01
TOTAL AMOUNT OF PAYMENT \$			

METHOD OF PAYMENT (check all that apply)

- ☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____
☒ Deposit Account Deposit Account Number: 50-2342 Deposit Account Name: Cargill, Incorporated
 For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)
☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

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FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee(s)	Fee(\$)	Small Entity Fee(s)	Small Entity Fee(s)	Fee(s)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee(\$)	Small Entity Fee(s)
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Multiple dependent claims	360	180
Total Claims		
Extra Claims	Fee(\$)	Fee Paid (\$)
-20 or HP = _____ X 50 = _____		
Fee(\$)	Fee Paid (\$)	

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee(\$)	Fee Paid (\$)
-3 or HP = _____ X 200 = _____			

HP = highest number of independent claims paid for, if greater than 3.

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Total Claims	Extra Claims	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
-100= _____ /50 = _____ (round up to a whole number) x				


4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Surcharge for Missing Declaration

Fees Paid (\$)
\$130.00

SUBMITTED BY

Signature		Registration No.	28,097	Telephone	(952) 742-0144
Name (Print/Type)	Edward V. Levine	(Attorney/Agent)		Date	5/22/2006

Page 1 of 2

CGL03/0204US01
2005/06331/0001

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/559,504	Hans Zoerb	CGL03/0204US01

INTERNATIONAL APPLICATION NO.

PCT/US04/17814

I.A. FILING DATE	PRIORITY DATE
06/04/2004	06/05/2003

38550
CARGILL, INCORPORATED
LAW/24
15407 MCGINTY ROAD WEST
WAYZATA, MN 55391

CONFIRMATION NO. 3827

371 FORMALITIES LETTER



OC000000018333769

Date Mailed: 03/22/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 12/05/2005
- Copy of the International Search Report filed on 12/05/2005
- Preliminary Amendments filed on 12/05/2005
- Information Disclosure Statements filed on 12/05/2005
- U.S. Basic National Fees filed on 12/05/2005
- Specification filed on 12/05/2005
- Claims filed on 12/05/2005
- Abstracts filed on 12/05/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:



3/28/06
Docketed Agency ELL
Action Missing Reports
Due Date 22 - MAY - 06
Deadline 22 - OCT - 06
Initials mv

- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PATRICIA A BOOKER

Telephone: (703) 308-9140 EXT 204

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/559,504	PCT/US04/17814	CGL03/0204US01

FORM PCT/DO/EO/905 (371 Formalities Notice)